

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

RHODA KANTER,

Plaintiff,

v.

HANS M. BARELLA, et al.,

Defendants.

HON. JEROME B. SIMANDLE

Civil No. 04-5542 (JBS)

ORDER

This matter is before the Court upon the motion to dismiss by Defendants Richard H. Stowe, A. Fred Ruttenberg and John H. Underwood pursuant to Rules 23.1 and 12(b)(6), Fed. R. Civ. P. [Docket Item 6]; the motion to dismiss by Defendants Hans. M. Barella, Belinda W. Chew, William E. Curran, Stephen H. Rusckowski, Scott M. Weisenhoff, Erik J. Westernik, Jan H.M. Hommen and Koninklijke Philips Electronics N.V. pursuant to Rules 23.1 and 12(b)(6), Fed. R. Civ. P. [Docket Item 7]; and the motion to dismiss by nominal Defendant MedQuist Inc. under Rule 23.1, Fed. R. Civ. P. [Docket Item 9]; and

The Court having considered the written submissions in support of and in opposition to the same; and having heard oral argument at a hearing on August 10, 2005; and

For the reasons stated in the Opinion of today's date;

IT IS this 21st day of September 2005 hereby

ORDERED that the motion to dismiss by Defendants Richard H. Stowe, A. Fred Ruttenberg and John H. Underwood pursuant to Rules 23.1 and 12(b)(6), Fed. R. Civ. P. [Docket Item 6]; the motion to dismiss by Defendants Hans. M. Barella, Belinda W. Chew, William E. Curran, Stephen H. Rusckowski, Scott M. Weisenhoff, Erik J. Westernik, Jan H.M. Hommen and Koninklijke Philips Electronics N.V. pursuant to Rules 23.1 and 12(b)(6), Fed. R. Civ. P. [Docket Item 7]; and the motion to dismiss by nominal Defendant MedQuist Inc. under Rule 23.1, Fed. R. Civ. P. [Docket Item 9] shall be, and hereby are, **GRANTED** and that the Complaint is **DISMISSED WITH PREJUDICE**.

s/ Jerome B. Simandle

JEROME B. SIMANDLE
U.S. District Judge